

DOCKET NO.: 2194-0042-23



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
GWYN A. CUTSFORTH ET AL : EXAMINER: GITOMER, R.
SERIAL NO: 09/938,728 :
FILED: AUGUST 27, 2001 : GROUP ART UNIT: 1651
FOR: COAGULATION ASSAY :
REAGENTS CONTAINING
LANTHANIDES AND A PROTEIN C
ASSAY USING SUCH A
LANTHANIDE-CONTAINING
REAGENT

TECH CENTER 1600/2930

APR 09 2003

RECEIVED

#9A
9/14/03

RESTRICTION RESPONSE AND AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the Communication dated March 5, 2003, Applicants provide herewith an Information Disclosure Statement (IDS) and references cited therein which correspond to those references disclosed at page 6, lines 21-24, of the specification. These references are incorporated by reference in the present specification and clearly demonstrate the reagents suitable for use in coagulation assays which are claimed in combination with one or more metal compounds that interact with calcium binding sites in a blood coagulation cascade, as claimed in Claim 21 which was previously elected as part of Group II on November 12, 2002. Further, responsive to the election of species requirement, Applicants elect, with traverse, a compound providing a cation of the lanthanide series as the one or more metal compound, and thrombomodulin or recombinant thrombomodulin as the reagent. Further, Applicants add new Claims 85-87 which are drawn to more specific embodiments and fall within previously restricted Group II and depend from Claim 21.

04/08/2003 WABDELRI 00000000 160038728 54.00 0P
01 FC:1202

Docket No. 2194-0042-23

IN RE APPLICATION OF: **DAVID A. CUTSEBORTH, et al.**

SERIAL NO: 09/938,728

FILED: August 27, 2001

FOR: COAGULATION ASSAY REAGENTS CONTAINING LANTHANIDES AND
A PROTEIN C ASSAY USING SUCH A LANTHANIDE-CONTAINING REAGENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is a Restriction Response and Amendment w/Marked-Up Copy in the above-identified application.

- ☐ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Information Disclosure Statement w/PTO Form 1449; Cited References (7)

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	87	MINUS	84	3	x \$18 =	\$54.00
INDEPENDENT	11	MINUS	11	0	x \$84 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$54.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$54.00

- ☒ A check in the amount of **\$54.00** is attached.
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


J. Derek Mason

Registration No. 35,270

Thomas W. Barnes III, Ph.D.

Registration No. 52,595



22850

Customer Number 22850
Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/01)